

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLICATION NO.: 9/373,589
ATTORNEY DOCKET NO. Q55419

REMARKS

This amendment, submitted in response to the Office Action dated January 30, 2003, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration is respectfully requested.

The Office Action raises an informality. The specification has been corrected as suggested by the Examiner. See Appendix.

Claims 1-30 are pending in the application. Claims 1-20 and 30 have been allowed. Claims 21-23, 25, 27, and 29 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Huston (USP 5,816,165). Claims 24, 26, and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Huston and further in view of Brass et al. (USP 4,782,221). Applicant submits the following arguments in traversal of the rejections.

Applicant has amended claims 21 and 29 to include a reference information. The aforementioned element was described in claim 1, which was deemed allowable. Therefore, claims 21 and 29 and their dependent claims should also be deemed allowable. Since the subject matter was previously before the Examiner, any subsequent Office Action should be made on a non-final basis.

In addition, with respect to claim 23, the Examiner maintains that column 3, lines 28-31 of Huston disclose discernment information including information of a recording material type, recording material printing format, and a recording material size. The respective column and

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lines cited by the Examiner indicate that the mark, which is in the form of a bar code, includes media type and manufacturer's name. It does not indicate printing format as further described in newly added claim 33. Therefore, it does not anticipate claim 23.

Claims 26 and 28 disclose discernment information is constituted by at least a length, a width, a shape and a pitch of positioning indicia. Column 4, lines 44-54 as cited by the Examiner, discloses that the bit areas of the data lines 11 are of a uniform height and width and does not pertain to discernment information of positioning indicia. Therefore, claims 26 and 28 should be deemed patentable.

Claims 31-37 have been added to describe the invention more particularly.

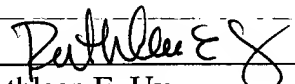
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: April 9, 2003

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The specification is changed as follows:

Please amend the paragraph bridging pages 1 and 2 as follows:

In the printer, problems are likely to arise if a recording material to be used does not satisfy predetermined conditions. The printer may be broken if a size or thickness of the recording material is different. Or desired quality of the image cannot be obtained.

Thermosensitive recording material as an example of a recording material includes a base sheet material and cyan, magenta and yellow coloring layers ~~hashaving~~ such a feature that its coloring characteristic changes due to a condition of preservation. Also, problems in the degradation in the quality arise with other various types of recording material, such as heat-development transfer type or sublimation thermal transfer type. The preserving conditions also depends upon the distribution channel of the recording material. But there is no known technique which allows selection of recording material with distribution channel which does not influence the quality of the recording material.

Please amend the paragraph bridging pages 9 and 10 as follows:

There ~~are~~is a cash detector unit 27 and a pick-up camera 28 connected to the host computer 21. The cash detector unit 27 receives insertion of cash, counts the cash as inserted,

and also pays out coins to be returned to a customer. The pick-up camera 28 photographs a body of the customer standing in front of the printer in a manner of a portrait. The host computer 21 controls sequential operation including the insertion of the cash and the ejection of print sheets. Upon insertion of the cash, a menu is indicated on the display panel 25. The customer operates the external operation panel 26 according to the menu, selects images to be combined, such as a background image, a foreground image, character images and decorative images, all as additional images 18. See Fig. 3B. The body of the customer being picked up, an image synthesis circuit 24a produces information of a synthesized image to be printed.

Please amend the second full paragraph on page 11 as follows:

In Fig. 4, the host computer 21, when powered, sends a command signal to the printer unit 22 for reading of the discernment code. In response to this, the code reader 33 is instructed to read the code by sending of the command signal from the host computer 21 to the parallel control block 30, the system control block 31 and the printing control block 32 in the printer unit 22. The code reader 33 has a photo sensor 33a or a recording material sensor, which optically reads the discernment code, and encodes the same. The ~~predetermine~~predetermined discernment code as read is transferred to the system control block 31, and written to a memory 38. The code is kept stored in the memory 38 before the powering off of the printer.

Please amend the paragraph bridging pages 11 and 12 as follows:

Subsequently the host computer 21 effects a start-up operation, and sets the various elements in a ready mode, to stand by for awaiting customers. In the ready mode, the printing

sequence and printed samples are indicated sequentially on the display panel. A customer inserts cash or coins of a predetermined amount into the cash detector unit 27, so that the host computer 21 is set ~~into~~ a pick-up mode. In the pick-up mode, the display panel 25 is caused to indicate a sequence of picking up images to be printed and a sequence of image synthesis. The external operation panel 26 is operated by the customer according to the indications, to cause the pick-up and image synthesis. The synthesized image is displayed, and confirmed by the customer's operation at the external operation panel 26. Then the host computer 21 is set in a printing mode. In the printing mode, the host computer 21 transfers a printing command signal and data of an image to be printed to the printer unit 22.

Please amend the paragraph bridging pages 12 to 13 as follows:

If the reference code is not "7h", then the discernment code is read from the memory 38. A recording material dealer code included in the discernment code is obtained, and checked as to whether it coincides with the recording material dealer code in the reference code. If there is coincidence, then the system control block 31 sends a printing command signal to the printing control block 32, and transfers the image data required for being printed. Also the recording material type code, the recording material size code, the printing format code and the like in the discernment code are checked in a manner as to whether the continuous recording sheet 10 satisfies conditions suitable to be used in the printer unit 22. If each of those ~~code~~codes ~~coincides~~coincide with a relevant part of the reference code, then the printing operation is started. The discernment code of the continuous recording sheet 10 to be used in the printer unit

22 is previously input in the personal computer 24, so that the continuous recording sheet 10 having the coincidence in the discernment code is allowed for use in the printing. The continuous recording sheet 10 supplied by any ~~of dealers~~dealer different from the particular dealer is rejected. Thus the quality in the printing is ensured, as the continuous recording sheet 10 that is different from the standard continuous recording sheet or has been preserved under an unwanted condition is not used.

Please amend the second full paragraph on page 20 as follows:

In the above embodiments, the recording material is a color recording sheet. Furthermore, the recording material in the present invention may be heat-development transfer type or sublimation thermal transfer type. Any recording material, of which quality is likely to change with time and due to a preserving condition, may be used in the present invention. The recording material may be a sheet for ink-jet printing, or photosensitive material of silver halide photography. For example, a self-processing photo film unit for use with an instant camera may be used.

Please amend the second full paragraph on page 24 as follows:

In Fig. 14, still another preferred embodiment is illustrated, in which an auxiliary indicia 81 is disposed on a continuous recording sheet 82 as a recording material. Distance data Z1 between the auxiliary indicia 81 and a positioning indicia 80 is obtained for the purpose of checking acceptability of the continuous recording sheet 82. The distance data Z1, in a manner similar to the above embodiment, is obtained according to a signal ~~of~~ detecting an edge at the

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indicia sensor 84, and the number of driving pulses for the stepping motor. Reference data C is predetermined. Only when the distance data Z1 is equal to the reference data C or in a predetermined tolerable range defined near to the reference data C, then the continuous recording sheet 82 is detected acceptable.

IN THE CLAIMS:

The claims are amended as follows:

21. (Amended) A recording material comprising:

a printing surface and a back surface; ~~and~~

discernment information prerecorded on said printing surface or said back surface
readably; and

wherein said recording material is judged as acceptable when said discernment
information is in accordance with a reference information.

29. (Amended) A recording material comprising:

a printing surface and a back surface;

a positioning indicia prerecorded on said printing surface or said back surface, and
adapted to recording material positioning for printing; ~~and~~

an auxiliary indicia prerecorded on said printing surface ~~or~~ said back surface at a
predetermined distance away from said positioning indicia in a recording material feeding

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direction, said predetermined distance constituting predetermined discernment information- and
wherein said recording material is judged as acceptable when said discernment
information is in accordance with a reference information.

Claims 31-37 are added as new claims.